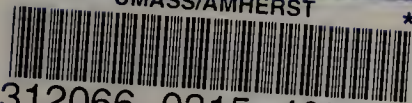


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The Commonwealth of Massachusetts
Department of Public Utilities



Forty-fifth Annual Report
for the
fiscal year ending
June 30, 1968

Government Documents
Collection
AUG 25 1970

University of Massachusetts

This Publication is Approved by Alfred C. Holland, State Purchasing Agent

November 20, 1968

To the Honorable Senate and House of Representatives:

We respectfully submit the forty-fifth Annual Report of the Department of Public Utilities for the fiscal year ending June 30, 1968.

During the fiscal year Roy C. Papalia (Republican) of Watertown served as Chairman of the Commission through the designation of the Governor of the Commonwealth until August 7, 1967 when he resigned the Chairmanship. Upon his acceptance of said resignation the Governor designated Helen P. Ross (Republican) of Melrose Chairman of the Commission. Other members of the Commission holding office during the year were: Lucy M. Carra (Democrat) of Springfield until July 11, 1967 Andrew L. Benson (Democrat) of Melrose until February 25, 1968, Norman Mason (Democrat) of Taunton, Joseph F. Cleary (Democrat) of Cambridge, David M. Brackman (Republican) of Newton, Robert M. Santaniello (Republican) of Springfield, and Edward G. Seferian (Democrat) of Watertown.

RETURNS

The number of operating utilities, private and municipal, persons, firms and associations under the jurisdiction of and filing annual returns for the year ended December 31, 1967 with the department was as follows:

Railroads	16	Electric Companies	13
Street Railways	8	Motor Carriers of	
Telephone Companies	6	Property	2,453
Telegraph Companies	1	Security Brokers,	
Steamboat Companies	1	Investment Trusts,	
Sleeping Car Companies	1	and other Investment	
Express Companies	1	Corporations	1,835
Gas Companies	26		

Manufacturing Companies		Motor Bus Lines	78
and Other Companies and		Municipal Lighting	
Persons doing Electric		Plants	40
Business	3	Voluntary Associations	9
Water Companies	58	Affiliates of Gas and	
		Electric Companies	10
Total.....		4,559	

Quarterly financial statements and statistical reports were filed with the Department by approximately forty-nine transportation companies, including railroad, street railway and motor bus companies.

The aforementioned returns were analyzed and checked by the Department for compliance with the rules of the Department and/or the Uniform Systems of Accounts and were amended, when necessary, after conferences with officers of the reporting utilities or where possible by correspondence.

In addition to the above, there were within the jurisdiction of the Department 527 regular route common carriers, 7149 irregular route common carriers, 7660 interstate licensed carriers, 640 contract carriers and 92 agricultural carriers actively engaged in the transportation of property by motor vehicle for compensation within the Commonwealth.

During the fiscal year the Commission and employees authorized and designated by the Commission held 246 formal hearings, and the Commission held 119 informal conferences with representatives of the various utilities under its jurisdiction.

A statistical outline of the work of the Department is as follows:

Petitions and Applications

Railroads	15	Steamship	0
Street Railways	0	Sale of securities	40
Gas and electric	49	Miscellaneous	0
Water	3	Airlines	0
Motor Bus	432	Rates and tariffs	8,708
Motor Truck	1,128		
Telephone & telegraph	9	Total	10,384

Complaints

Railroads	130	Motor Truck	632
Street Railways	59	Telephone & Telegraph	1865
Gas	807	Sale of Securities	0
Electric	838	Rates and Tariff	781
Water	10		
Motor Bus	119	Total	5,241

The receipts of the Department of Public Utilities for the fiscal year from July 1, 1967 to June 30, 1968.

Administration Division

Meter Inspection Fees	\$ 85,107.50	
Filing Fees for Certain Documents	53,542.80	
Sale of Forms	144.60	
Miscellaneous	<u>366.78</u>	\$ 139,161.68

Railway and Bus Division

Bus Permits	6,489.50	
Bus Drivers' Licenses (including duplicates)	<u>8,463.00</u>	
	14,952.50	14,952.50

Commercial Motor Vehicle Division

Certificates and Duplicate Copies of Documents	238.75
Motor Carrier Stock Acquisition	240.00
Regular Route Common Certificate Applications	20.00
Irregular Route Common Certificate Applications	5910.00
Contract Carrier Permit Applications	370.00
Interstate License Application	1200.00
Certificate & Permit Transfer Applications	3750.00

Plate Fees

Common	200,670.00	
Contract	8,080.00	
Interstate	101,885.00	
Agriculture	22.00	
Plate Transfer	4,168.00	
Brokers Licenses	10.00	
Replacements	436.00	
Postage	<u>5,585.93</u>	332,585.68

Securities Division

Fees (Notice of Intentions and Petitions)	22,815.00	
Brokers' and Salesmen's Licenses	<u>155,285.00</u>	178,100.00

Rentals

Rental of Land, Cambridge Subway	<u>15,300.00</u>
TOTAL INCOME Fiscal year ending June 30, 1968	680,099.86

CAPITAL STOCK AND BONDS

5

Thirteen applications for approval of the issue of stocks, bonds or notes have been decided during the period from July 1, 1967 to June 30, 1968. The par value of the securities asked for and approved was \$98,773,310.

The following table shows the securities approved for the several companies, giving both the par value of the stock and the issue price thereof, determined as required by law.

	Amount at <u>Par</u>	<u>CAPITAL STOCK APPROVED</u>		Bonds or <u>Notes</u>	<u>Date</u>
		<u>Issue Price</u>	<u>Value at Issue Price</u>		
Lowell Gas Company				1,700,000	7/13/67
Buzzards Bay Gas Co.				1,000,000	7/13/67
Berkshire Gas Co.				500,000	9/6/67
New England Power Co.				15,000,000	9/27/67
Massachusetts Elec. Co.*	10,000,000	100	10,000,000	10,000,000	11/8/67
Buzzards Bay Gas Co.	500,000 P 217,400 C	25 23	500,000 500,020		11/15/67
Lowell Gas Co.	750,000 P 200,310 C	25 30	750,000 600,390		11/15/67
Western Mass. Elec. Co.				10,000,000	2/7/68
New England Power Co.	7,500,000	20	15,000,000		3/6/68
Brockton-Taunton Gas Co.				6,000,000	3/20/68
Monterey Water Co.	5,600	100	5,600		3/20/68
Mass. Electric Co.				15,000,000	3/13/68
New England Power Co.				20,000,000	6/12/68

* Cancelled by D.P.U. 15648-A 2/27/68

LEGISLATION

6

Recommendations for legislation filed by the Department for consideration at the 1968 session of the General Court, were as follows:

1. AN ACT AUTHORIZING REPLACEMENT OF A VEHICLE IDENTIFICATION DEVICE WHEN NECESSARY.

Under a recent change in the federal law (Public Law 89-170) commercial motor vehicles operating in interstate commerce are authorized to display a vehicle-identification-device in lieu of an interstate distinguishing plate now issued by the several states. At the present time the Commonwealth of Massachusetts through the Commercial Motor Vehicle Division of this Department issues for a fee an interstate distinguishing plate. The proposed legislation merely adds the words "vehicle-identification-device" to the present section and allows for replacement if said device is destroyed, mutilated or otherwise becomes illegible.

THIS RECOMMENDATION FOR LEGISLATION WAS REJECTED IN THE SENATE.

2. AN ACT REQUIRING REFUNDS BY MUNICIPAL ELECTRIC PLANTS WITH EARNINGS IN EXCESS OF EIGHT PER CENT PER ANNUM.

The present law prohibits a municipal electric plant from earning in excess of eight per cent per annum on its net plant. There is nothing in the law which provides for disposition of municipal electric plant funds if such plant in fact earns in excess of eight per cent per annum. This proposed legislation would require that any plant whose earnings exceed eight per cent per annum in any particular year shall place the excess in a separate cash fund and refund said amount to its customers in a manner approved by this Department.

THIS RECOMMENDATION FOR LEGISLATION WAS REJECTED BY THE GENERAL COURT.

3. AN ACT PROVIDING FOR COOPERATION BY THE DEPARTMENT OF PUBLIC UTILITIES WITH REGULATORY BODIES OF OTHER STATES AND THE INTERSTATE COMMERCE COMMISSION.

This change was suggested by the Commission following an opinion of the Attorney General to the effect that in order to enter into cooperative agreements with regulatory bodies of other states and the Interstate Commerce Commission enabling legislation would be needed. There is nothing in the present law which authorizes this Department to enter into such agreements without specific statutory authority.

THIS RECOMMENDATION WAS REJECTED BY THE GENERAL COURT.

4. AN ACT AUTHORIZING USE OF AN IDENTIFICATION DEVICE FOR INTERSTATE CARRIERS.

This proposed legislation implements Public Law 89-170 enacted by the federal Congress which provides for a vehicle-identification-device for commercial motor vehicle use in interstate commerce. Presently this Department issues an interstate distinguishing plate and by the addition of the words "vehicle-identification-plate" in

section ten of chapter 159B of the General Laws provides for the necessary procedure for the issuance of a vehicle-identification-device by this Department.

THIS LEGISLATIVE RECOMMENDATION WAS ENACTED INTO LAW AND BECAME CHAPTER 289 OF THE ACTS OF 1968.

5. AN ACT REDEFINING THE TERM "INTERSTATE LICENSE".

This proposed legislation allows for conformity with Public Law 89-170 in the definition of interstate license by the addition of the words "or registration".

THIS RECOMMENDATION WAS ENACTED INTO LAW AS CHAPTER 106 OF THE ACTS OF 1968.

6. AN ACT RELATIVE TO PROTECTION AT GRADE CROSSINGS.

This bill would correct a situation brought about by Chapter 886 of the Acts of 1966. Chapter 886 removed jurisdiction, in our opinion, of this Department over railroad crossings of railroads under contract with the Massachusetts Bay Transportation Authority. We are concerned that safety regulations of railroad crossings by the Department of Public Utilities over two railroads actually under contract for service with the Massachusetts Bay Transportation Authority has been removed.

THIS RECOMMENDATION FOR LEGISLATION WAS ADOPTED BY THE GENERAL COURT AND BECAME CHAPTER 196 OF THE ACTS OF 1968.

7. AN ACT RELATIVE TO FEES FOR DRIVERS' LICENSES.

This amendment increases the fee for the issuance of a license to an operator of a motor carrier of passengers from one dollar to five dollars in order to help defray the actual cost of the licensing and examination. In addition it creates a new charge of two dollars for renewal of said license annually.

THIS LEGISLATIVE RECOMMENDATION WAS ENACTED AND BECAME CHAPTER 325 OF THE ACTS OF 1968.

8. AN ACT RELATIVE TO FEES FOR MOTOR BUS PERMITS.

This amendment places a fee of five dollars for annual renewal of a motor bus permit where, presently, no charge is made. The initial permit for a motor bus remains at a \$10 figure. Again, this is an attempt to make departmental fees more realistic to help defray the actual cost involved.

THIS RECOMMENDATION WAS ADOPTED AND BECAME CHAPTER 456 OF THE ACTS OF 1968.

9. AN ACT TO REQUIRE STEAMSHIP COMPANIES TO POST BONDS.

In recent years the Nantasket Boat Service has been operated by a new corporation formed each year in another state. Service begins about the first of June and terminates at Labor Day. Thereafter the ships travel south leaving no address and no person responsible. The proposed amendment will provide the Department with some effective means of controlling the operation of these carriers and will afford aggrieved passengers some redress which is not now available to them.

THIS LEGISLATIVE RECOMMENDATION WAS REFERRED TO A STUDY AND THE STUDY ORDER EVENTUALLY DIED BETWEEN BRANCHES OF THE GENERAL COURT.

10. AN ACT REQUIRING THE DEPARTMENT OF PUBLIC UTILITIES TO FURNISH LISTS OF QUALIFIED STOCKS OR SECURITIES FOR SALE.

Public convenience and necessity require that the Department establish and maintain a current list of stocks or securities qualified for sale under chapter 110A of the General Laws and containing weekly supplements to such list including any insertions or deletions thereof, in order that this agency safeguard the public from misleading representation.

THIS RECOMMENDATION FOR LEGISLATION WAS REJECTED BY THE GENERAL COURT.

11. AN ACT FURTHER DEFINING THE POWERS OF THE GAS REGULATORY BOARD.

The purpose of this amendment is to clarify the status of the gas regulatory board, created by Chapter 737 of the Acts of 1960, wherein the Legislature left silent the question of supervising agency over said board. There has been confusion and ambiguity as to the Department's jurisdiction over said board since its creation by the Acts of 1960. It appears that the Legislature intended at the time of the creation of this board that said board should be under the control and supervision of this Department although this intent was not spelled out in the language of the bill. Various attempts have been made since 1960 to exclude the Department jurisdiction by legislative amendment. Each of these bills was defeated during some course of the legislative process. It is the opinion of this Department that this board should not be autonomous and should have supervision over budget matters as well as the physical structure itself. The Department, since the inception of this board, has supervised said board in every respect and it is our opinion that passage of this amendment would clarify the judicial question to the satisfaction of all concerned.

THIS LEGISLATIVE PROPOSAL WAS REJECTED BY THE GENERAL COURT.

12. AN ACT TO REQUIRE CONTRACT CARRIERS TO OBTAIN APPROVAL OF THE DEPARTMENT TO SERVE NEW SHIPPERS.

Contract carrier permits are issued by the Department in cases where the carrier proposes a specialized service not offered by common carriers. In order to prevent a contract carrier from becoming, in effect, a common carrier, merely by the addition of an unlimited number of customers, the proposed amendment makes it clear that no new customer can be added to the carrier's authorization without prior approval of the Department.

THIS RECOMMENDATION WAS REJECTED BY THE GENERAL COURT.

13. AN ACT ELIMINATING THE NEED FOR FILING A MOTOR VEHICLE LIABILITY BOND WHEN A MOTOR VEHICLE LIABILITY POLICY IS IN FORCE.

This proposed legislation provides in the alternative a method for licensing motor carriers of passengers for hire under chapter 159A of the General Laws by authorizing the carrier to present to the Department satisfactory evidence of personal injury liability insurance in such sum as the Department may reasonably require providing indemnity of protection equal, except as to amount, to motor vehicle liability policies as defined in section thirty-four A of chapter ninety. This proposed legislation obviates the necessity of the filing of a bond which is required presently by section six of chapter one hundred fifty-nine A and D.P.U. 11168, dated March 11, 1955. In any event a motor carrier of passengers for hire to be licensed under chapter one hundred fifty-nine A of the General Laws may by the filing of a required bond, or by the terms of this proposed legislation, present evidence of satisfactory personal injury liability insurance.

THIS LEGISLATIVE RECOMMENDATION WAS SENT TO A STUDY BY THE GENERAL COURT.

14. AN ACT LIMITING THE NUMBER OF COMMON CARRIERS OF PROPERTY BY MOTOR VEHICLE ENTITLED TO A CERTIFICATE OF INSURANCE OR BOND COVERAGE.

This proposed legislation limits the number of common carriers of property by motor vehicle entitled to a certificate of insurance as required by section one A of chapter ninety to carriers having and operating more than nine vehicles. It is the opinion of this Department that this proposed change would greatly lessen the great amount of interdepartmental paper work involved.

THIS LEGISLATIVE RECOMMENDATION WAS SENT TO A STUDY BY THE GENERAL COURT.

INVESTIGATIONS

On March 7, 1967 two elevated trains of the Massachusetts Bay Transportation Authority (MBTA) were involved in a rear-end collision on the elevated structure at City Square Station in the Charlestown District of the City of Boston during a severe snow and sleet storm in which more than 400 persons were reported to have been injured. The accident was one of the very few such type of accidents occurring on the rapid transit system, but because of its seriousness and the number injured the Department conducted an exhaustive investigation into the case of the accident and to determine the steps which should be taken to prevent a recurrence of such type of accident.

As a result of its investigation the Department determined that the cause of the accident was due to the presence of an accumulation of packed snow or ice on the brake shoes of the cars and if the "snow brakes", so-called, had been in use at the time the accident could have been avoided. As a result the Department proposed a new set of rules and regulations affecting the use of "snow brakes" and other measures designed to promote safety in the operation of rapid transit trains and held a public hearing at which the various parties of interest were invited to appear and express their views on the proposed rules and regulations. The Massachusetts Bay Transportation Authority appeared at the hearing and did not present any objection to the proposed rules. As a result the Department, by an appropriate order, formally adopted the new rules, which are as follows:

1. Rapid transit cars should not be operated unless the cars are equipped to accomplish electro-pneumatic application and removal of snow brake by a motorman in his operating position in the cab.
2. Snow brakes shall be placed in operation at the beginning of a snow or sleet storm, and each motorman shall apply snow brakes on the train operated by him. During a snow or sleet storm a Supervisor at one terminal station on each route shall inspect the cars of each train to determine that snow brakes are in use.

3. Suitable illuminated indicators shall be placed at appropriate locations on each Rapid Transit route which shall be illuminated at the beginning of a snow or sleet storm and shall remain illuminated until the application of the snow brake is no longer necessary. The illumination of the indicators shall be controlled from one terminal of each route or from the office of the Train Dispatcher. The Starter at such terminal, or the Train Dispatcher, as the case may be, shall illuminate the indicators at the commencement of each snow or sleet storm. Each Starter, after illuminating the indicators shall notify the Train Dispatcher by telephone, and the Train Dispatcher shall log each such telephone call and shall log each instance in which he controls the illumination of the indicators.
4. A program, satisfactory to the Department of Public Utilities, of inspection, testing and maintenance of snow brake systems shall be established.
5. No Rapid Transit car of the 011000 series shall be operated unless the Cineston unit has been modified so that the braking power of the car will not be rendered ineffective when the handle is in the "handle off" position.
6. Copies of these Rules, Regulations and Procedures shall be distributed among all transportation personnel.
7. Each motorman as a condition of his continued eligibility to operate a Rapid Transit car shall pass a written test, satisfactory in form to the Department, relating to operating Rules, Regulations, and Procedures, not less frequently than every three years.

In addition to the above, the following were also made a part of the Department's order:

1. The existing manual method of applying snow brakes shall be continued in effect.
2. Snow brakes shall be applied on all cars at the beginning of any snow or sleet storm.
3. Any supervisory person shall have authority to order the application of snow brakes on cars within his jurisdiction.

It being the responsibility of the Department to take such steps as may be reasonable and necessary to provide for the better security of human life, it is hoped that the adoption of the rules and regulations cited above will go a long way toward preventing a repetition of the type of accident involved in the present case.

With the gradual discontinuance of the use of street railway cars and trackless trolleys by the Massachusetts Bay Transportation Authority (the only carrier in the Commonwealth which utilizes such types of vehicles) and their replacement by modern up-to-date Diesel buses, a unique problem developed in the operation of such buses through the underground passages of the Harvard Square Subway in the City of Cambridge. The Metropolitan Transit Authority, predecessor of the present Massachusetts Bay Transportation Authority (MBTA), discontinued the use of trackless trolleys on two of its lines operating out of Harvard Square Subway and requested the Department for authorization to use Diesel buses in their place.

At the time the Department was vitally concerned over the effect of highly obnoxious and irritating fumes which were emitted from such buses within the close confines of the subway on the health, safety and comfort of the riding public making use of the underground station. As a result of an investigation by the Department and conferences with officials of the MTA, together with a report from a consulting and research engineer who was retained to make a study of the problem, it was agreed that the installation of catalytic mufflers would reduce considerably the output of odorous and irritating fumes, and it was upon the condition that the buses would be

equipped with the catalytic mufflers that the Department granted a license to the MTA to operate the Diesel buses through the subway on a temporary basis pending further investigation and study.

This temporary authorization has been extended from time to time by order of the Department and at present the buses equipped with these special mufflers are being operated by the MBTA through the Harvard Square Subway. There have been no complaints registered with the Department of discomfort or irritation on the part of those using the subway and it is anticipated that in the near future the Department will grant permanent authorization for the operation of the buses through the station.

NEW LEGISLATION ENACTED

As the result of a number of highway-railroad grade crossing accidents on railroads operating in the Commonwealth, including a serious one in the City of Everett in which 13 persons lost their lives, the 1967 session of the General Court enacted into law numerous measures designed to strengthen the existing statutes relative to the operation of railroad passenger and freight trains and protection at highway-railroad grade crossings. These legislative measures were recommended by a special legislative committee which had been appointed to investigate the Everett grade crossing accident and other related matters. The new legislation base on the special committee's recommendations is as follows:

1. AN ACT FURTHER REGULATING THE ERECTION AND MAINTENANCE OF WARNING SIGNS AT RAILROAD GRADE CROSSINGS.

This legislation which amends Section 142 of Chapter 160 of the General Laws provides as follows:-"Said warning signs shall be placed in a conspicuous location beside the public way on each side of the crossing at a distance of not less than two hundred and fifty feet from the nearest rail of the crossing and shall conform in design with the official standards of the department of public works. Previously the law required said signs to be posted at each side of the crossing at a distance of not less than three hundred feet, and the new law reduces this to two hundred and fifty feet. (Chap. 691, Acts of 1967. Approved October 24, 1967).

2. AN ACT RELATIVE TO PERIODIC TESTING OF TRAIN BRAKES AND BRAKE APPLIANCES.

This legislation which amends Section 155 of Chapter 160 of the General Laws provides as follows:-"Said brakes and brake appliances shall be tested or examined periodically by the department and shall be so tested or examined while the cars are in motion and under both normal and emergency conditions. A record of each such test or examination shall be kept by the department." This is an entirely new section of the law which requires the department to make such tests or examinations of brakes and brake appliances and to keep a record of all such tests or examinations. (Chap. 692, Acts of 1967. Approved October 24, 1967.)

3. AN ACT PROVIDING THAT SIGNS, GATES AND OTHER DEVICES AT RAILROAD GRADE CROSSINGS BE COATED WITH LUMINOUS PAINT.

This legislation which amends section 147 of Chapter 160 of the General Laws provides as follows:- "All signs, signal posts, gates or other devices maintained by a railroad corporation at a grade crossing shall be reflectorized in accordance with standards prescribed by the department of public utilities." This is a new section of law which requires the painting of all grade crossing gates with a luminous substance so as to be more visible to highway travel. (Chap. 700, Acts of 1967. Approved October 27, 1967)

AN ACT RELATIVE TO THE LOCATION OF TOOL AND SAFETY DEVICES ON RAILROAD CARS.

This legislation which amends Section 163 of Chapter 160 of the General Laws provides as follows:- "Every railroad corporation shall equip each of the trains and cars owned or operated by it, for use in case of accident and for safety purposes, with such tools and devices as the department shall order in writing. Said tools and devices shall be kept in a place which shall be so marked as to be easily visible to all passengers. A corporation which violates the provisions of this section shall forfeit five hundred dollars." This new law added the sentence requiring that such tools and devices shall be kept in a place which shall be marked and visible to all passengers. (Chap. 701, Acts of 1967. Approved October 27, 1967.)

LITIGATION

TOWN OF MILFORD

vs.

DEPARTMENT OF PUBLIC UTILITIES

Acting in accordance with the Rules and Regulations of the Department, Carlstrom Bus Lines, Inc., of Westboro, Mass., notified the Department under date of December 19, 1966 that it was to discontinue certain bus service on Sundays and holidays and also evening trips between Worcester and Milford and Worcester and Westboro, serving the intermediate towns of Grafton, Hopedale and Upton, said discontinuance of service to become effective on December 27, 1966. Following receipt of this notice numerous public officials and residents of the areas affected filed protests with the Department as a result of which the Department, upon its own motion, entered upon an investigation into the propriety of the proposed discontinuance. A public hearing was held upon the matter at the Town Hall in Grafton at which all interested parties were afforded the opportunity of being heard.

Under date of March 29, 1967, the Department issued Order D.P.U.15396, and after consideration and study found that public convenience and necessity did not require restoration of the bus service which had been discontinued due to the fact that the company was sustaining severe financial losses in its operations due to lack of patronage on the part of the riding public. Accordingly, the reduced service was allowed to stand and the Department's investigation was terminated.

Under date of May 11, 1967, the Town of Milford filed a Petition for Appeal with the Supreme Judicial Court in which it claimed that the findings in the decision of the Department were contrary to the evidence presented as to public convenience and necessity and requested that the decision be set aside or modified or that the matter be returned to the Department of Public Utilities for further hearing and investigation.

On May 15, 1967, a motion was filed by the Petitioner seeking to amend the Petition for Appeal so as to make the Commissioners of the Department of Public Utilities respondents in the proceedings and this motion was allowed by a single justice of the court. Also on May 15, the Town of Grafton filed a petition asking leave to intervene as a party in interest and this motion was also allowed.

On November 22, 1967, the Commissioners of the Department of Public Utilities as respondents filed a motion for leave to file a Demurrer to the claim of appeal while reserving the right to answer, and on December 1, 1967, the respondent Commissioners filed an answer to the claim of appeal in which it was contended that the Petitioner's were not admitted as parties of interest and therefore were precluded from bringing the appeal before the court.

At the preparation of this report the matter is still pending before the court.

MAYNARD LENDER

vs.

DEPARTMENT OF PUBLIC UTILITIES

Dr. Maynard Lender of Brookline, Mass., who also maintains offices in Framingham, Boston and Waltham brought a complaint before the Department alleging that the telephone service furnished by New England Telephone and Telegraph Company was inadequate and improper and requesting the Department to take the necessary steps to have the company furnish him with proper and adequate service. His major complaint was that for a period of five days in February 1967 the service at his Boston line was interrupted while he was in New Orleans. His only basis for making the complaint was that his answering service reported there were no calls during the period.

Following public hearings and investigation and consideration, the

Department, by appropriate order, found that the telephone service being furnished to the complainant was not unjust, improper or inadequate and dismissed the complaint.

Being aggrieved by the Department's decision and order, the complainant filed a Petition for Appeal in the Supreme Judicial Court asking that the decision and order be set aside on the grounds that it denied to the Petitioner his rights and protection under the constitution. He alleged that the Department failed to give sufficient reasons upon which to base its decision and order.

On October 27, 1967, the New England Telephone and Telegraph Company filed a petition with the court for leave to intervene as a party respondent in the proceedings and this was allowed by a single justice of the court on November 8, 1967.

On November 22, 1967, a Demurrer of the Commissioners of the Department of Public Utilities, as respondent, was filed in which it was contended that the Petitioner's claim of appeal did not set forth sufficient facts to warrant the court to grant relief or that the petitioner was aggrieved by the decision. It further requested that the appeal of the petitioner be dismissed. On the same date, the New England Telephone and Telegraph Company as a party respondent filed a Demurrer claiming that the petitioner was not a proper party to seek relief and had no legal right to such.

On November 27, 1967, the New England Telephone and Telegraph Company filed its answer to the Petition for Appeal and also a motion to Stay the proceedings, which was allowed by a justice of the court on December 13, 1967.

On November 30, 1967, the Petitioner filed a motion to strike the Demurrers of the respondents on the ground that the issues raised in the Demurrers violated the right of the Petitioner to appeal under the law. No action was taken by the court on this motion.

On December 1, 1967, the Department of Public Utilities as respondent

filed its answer to the allegations contained in the Petition for Appeal, and on December 11, 1967, a motion was filed by the Petitioner for the taking of additional evidence in the proceedings. There was no action by the court on this motion.

At the preparation of this report the matter is still before the court.

TRUSTEES OF PROPERTY
OF N.Y., N.H. & H.R.R. Co.
PENN CENTRAL
BOSTON & MAINE

vs.

DEPARTMENT OF PUBLIC UTILITIES

Under date of May 15, 1967, and following public hearing and consideration, the Department of Public Utilities issued Order D.P.U. 15577 which required all railroad corporations operating within the Commonwealth of Massachusetts to equip each of its passenger cars with certain prescribed tools and equipment for use in emergencies and to require the lighting and luminous painting of all railroad grade crossing gates.

On May 29, 1968, the Trustees of the Property of The New York, New Haven and Hartford Railroad Company, the Penn Central Company and the Boston and Maine Corporation, all of which are railroad corporations providing rail passenger service in the Commonwealth, filed petitions for appeal with the Supreme Judicial Court asking that the decision and order of the Department be declared null and void and that it be set aside. The Petitioners asserted that the Department made errors in law by denying their motion to dismiss the proceedings for lack of jurisdiction and in adopting regulations which contravene the Commerce Clause of the United States Constitution. They further contended that the Department erred in adopting regulations without complying with the express provisions of Section 2 of Chapter 30A of the General Laws.

On May 29, 1968, the appellants filed a petition for Stay of Order of the Department until further order of the court, and on June 11, 1968, the office of the Attorney General of the Commonwealth filed a petition opposing the Stay of Order on the grounds that such Stay was not warranted and that the proposed regulations contained in the Department's order and decision were clearly within the jurisdiction of the Department of Public Utilities.

On June 12, 1968, a single justice of the court issued a decree Staying the Order of the Department until further action by the court.

This matter is still pending before the court.

TOWN OF NORTHBOROUGH
TOWN OF HARVARD
TOWN OF LITTLETON
T. G. Slattery, et als
CHARLES E. COTTING

vs.

DEPARTMENT OF PUBLIC UTILITIES

The Department, under date of December 14, 1967, issued an order in the proceedings in D.P.U. 15354 upon the joint petition of New England Power Company and Boston Edison Company in which it made a determination that public convenience required the construction of a proposed transmission line for the transmission of electricity from a substation of New England Power Company in Somerset through the municipalities of Somerset, Swansea, Rehoboth, Dighton, Norton, Attleboro, North Attleboro, Plainville, Wrentham, Franklin, Bellingham and Medway, connecting at Medway with a substation of Boston Edison Company thence through the Towns of Holliston, Milford, Hopkinton, Westboro, Northboro, Berlin, Bolton, Harvard, Littleton and Ayer to a connection with a proposed New England Power Company substation in Ayer, and that the construction of such line was consistent with the public interest.

As a result of this decision and order, the Towns of Northborough, Harvard and Littleton and other parties filed Petitions for Appeal requesting that the decision and order be set aside and that the matter be remanded to the Department of Public Utilities with appropriate instructions from the court. The appeals contended that the Department made numerous errors of law in its decision and order which were not supported by subsidiary findings and that there was no evidence introduced to demonstrate there was a need for the proposed transmission line.

Under date of April 25, 1968, New England Power Company and Boston Edison Company filed petitions for leave to intervene as parties respondent in the proceedings and this petition was allowed by a single justice of the court on May 8, 1967. Also on May 8, the answer of New England Power Company and Boston Edison Company was filed denying the allegations of the petitioners and requesting the court to enter a final decree affirming the decision and order of the Department.

This matter is still pending before the court at the preparation of this report.

TOWN OF SUDBURY
TOWN OF WAYLAND
TOWN OF CONCORD

vs.

DEPARTMENT OF PUBLIC UTILITIES

This is an appeal from a decision and order of the Department of Public Utilities in the proceedings in D.P.U. 15583 in which the Department, upon petition of Boston Edison Company, made a determination that the proposed situation of certain lands to be acquired for a right of way 250 feet in width from an existing substation of Boston Edison Company in South Sudbury through

the Towns of Sudbury, Wayland and Concord to a proposed substation to be located at a site near the corner of the Towns of Sudbury, Acton and Concord, a distance of approximately 7.5 miles, and the proposed transmission line to be located on said right of way, was reasonably necessary for the convenience and welfare of the public and that said lands and structures be exempted from the zoning by-laws of the Towns of Sudbury, Wayland and Concord.

On June 26, 1968, the Towns of Sudbury, Wayland and Concord filed Petitions for Appeal with the Supreme Judicial Court asking that the decision and order of the Department be set aside and that the matter be remanded to the Department with appropriate instructions from the court. The appeals contended that the Department made certain errors of law in the course of the proceedings and that the final decision and order of the Department was not supported by subsidiary findings.

This matter is still pending before the court.

MUNICIPAL GAS AND ELECTRIC
LIGHT DEPARTMENT OF THE
TOWN OF MIDDLEBORO

vs.

DEPARTMENT OF PUBLIC UTILITIES

Under date of September 6, 1966, the Municipal Gas and Electric Light Department of the Town of Middleboro filed with the Department a new schedule of rates and charges applying to residential and commercial use in the Town of Lakeville, to become effective October 1, 1966. Notice of the proposed rates was given to the Town of Lakeville and on August 30, 1966 the Board of Selectmen of that town filed an objection to the proposed schedules and requested the Department to investigate the propriety of the rates and charges.

On September 28, 1966, the Department issued order suspending the operation and use of the proposed rates until August 1, 1967, unless otherwise ordered by the Department. The Board of Gas and Electric Commissioners of

the Town of Middleboro, under date of October 7, 1966, filed a petition for Appeal with the Supreme Judicial Court asking that the order of the Department suspending the schedule of rates be set aside on the grounds that the Department did not have the authority or jurisdiction to suspend the schedule and that the Department's order was contrary to statutory provisions of law relating to the establishment of rates and charges by a municipal lighting board.

On October 14, 1966, the Petitioner filed a motion requesting the court to grant a Stay of the Department's order, and under date of October 31, 1966 a single justice of the court issued an interlocutory decree staying the Department's order upon the condition that the Petitioner file with the court a bond in the sum of \$20,000 to guarantee the payment of refunds to customers of any sums which may be due them after a final determination of the proper rates and charges.

On August 6, 1967, the Board of Selectmen of the Town of Lakeville filed a motion for leave to intervene as a party of interest in the proceedings, and on September 13, 1967 a single justice of the court issued an Interlocutory Decree allowing the motion.

On September 12, 1967, the Department issued a final order in the proceedings in D.P.U. 15350 in which it disallowed the new schedule of rates and charges filed by the Municipal Gas and Electric Department of the Town of Middleboro.

At the time of preparation of this report the matter is still pending before the court.

TOWN OF FRAMINGHAM
TOWN OF SUDBURY
TOWN OF WAYLAND

vs.

DEPARTMENT OF PUBLIC UTILITIES

Following numerous public hearings and consideration, the Department on March 29, 1967 issued Order D.P.U. 15192 approving the construction, maintenance and use of a line for the transmission of electricity by Boston Edison Company on certain lands in the Towns of Medway, Sherborn, Framingham, Wayland and Sudbury and exempting the land and structures from the zoning by-laws of said municipalities.

As a result of the issuance of the order, the Towns of Framingham, Sudbury and Wayland filed Petitions for Appeal with the Supreme Judicial Court requesting that the order of the Department be set aside on the grounds that the order was not warranted as a matter of law and was not supported by adequate findings. It further requested that the matter be remanded to the Department with appropriate instructions from the court as to further action in the proceeding.

On April 25, 1967, the Boston Edison Company as respondent filed its answer to the Petition for Appeal and requested the court to issue a decree affirming the decision and order of the Department of Public Utilities.

The Town of Sherborn, under date of August 8, 1967, filed a motion for leave to intervene as an interested party, but on August 24, 1967 a single justice of the court dismissed the petition without prejudice to the right of the town to present a similar petition after the case had been referred to the full bench of the court.

On December 26, 1967, the Petitioners filed a motion to consolidate the cases and under an order of the court this consolidation was authorized.

On January 9, 1968, a single justice of the court issued a rescript reserving and reporting the matter to the full bench of the court. At the preparation of this report the matter is still before the court.

ERNEST ROBILLARD, d/b/a
OXFORD TRANSPORTATION SERVICE

vs.
DEPARTMENT OF PUBLIC UTILITIES

Under date of October 17, 1966, the Department denied the application of Ernest F. Robillard of 5 Clark Street, Webster, Massachusetts, doing business as Oxford Transportation Service, for a School Service Permit under the provisions of Chapter 537 of the Acts of 1965, to operate motor vehicles for the carriage of passengers for hire for the purpose of transporting children from points in Oxford and Webster to four parochial schools, all located within the Town of Webster, during the 1966-1967 school term.

As a result of this action by the Department, Ernest F. Robillard filed a Petition for Appeal with the Supreme Judicial Court praying that the order of the Department be set aside on the ground that Chapter 537 of the Acts of 1965 is inapplicable insofar as it affects the transportation of children to private schools and that it is unconstitutional because it discriminates against private schools in contracting for school bus transportation.

At the present time and at the preparation of this report the matter is still before the court.

TRUSTEES OF THE PROPERTY OF
THE NEW YORK, NEW HAVEN AND
HARTFORD RAILROAD COMPANY

vs.

DEPARTMENT OF PUBLIC UTILITIES

The Department, under date of March 29, 1967 and following public hearing and consideration, issued Order D.P.U. 15127 in which it ordered The New York, New Haven and Hartford Railroad Company (Richard Joyce Smith, William J. Kirk, Trustees) to cause the installation of automatic flashing light signals and pedestrian bell to serve as the protection at the crossing at the same level of Woodward Street with trackage of the Attleboro Branch of the railroad in the Town of Norton in substitution for the existing automatic bell at said crossing. The order further stipulated that the work be completed in a manner satisfactory to the Department not later than September 30, 1967.

Under date of May 4, 1967, the New York, New Haven and Hartford Railroad Company filed a Petition for Appeal in the Supreme Judicial Court requesting that the Department's order be set aside on the ground that the Department had no jurisdiction to issue such an order under the provisions of Section 147 of Chapter 160 of the General Laws, as amended. The petitioner further contended that if the Department did have jurisdiction in the matter it had failed to make an apportionment of the cost of installing, maintaining and operating the protection as required by said Section 147 of Chapter 160 of the General Laws, as amended.

This matter is still pending before the court at the preparation of this report.

ELECTRIC AND GAS COMPANY
RATE REDUCTIONS, PRICE
ADJUSTMENTS AND REFUNDS

During the course of the fiscal year, July 1, 1967 to June 30, 1968, customers of gas and electric companies in various sections of the Commonwealth were the beneficiaries of rate reductions totalling approximately \$4,345,000, of which \$3,096,983 represented savings to customers of electric companies and the balance amounting to \$1,248,529 being the sum passed on to customers of gas companies in the form of price adjustments and refunds. Tables showing the companies affected, the amount of reduction and the effective dates of the reductions follows:

<u>COMPANY</u>	<u>ELECTRIC AMOUNT</u>	<u>EFFECTIVE DATE</u>
Massachusetts Electric Co.	\$3,000	August 1, 1967
Massachusetts Electric Co.	\$29,000	December 1, 1967
Fall River Electric Co.	\$104,300	December 1, 1967
Brockton Edison Co.	\$350,000	December 1, 1967
Cambridge Electric Co.	\$106,849	March 1, 1968
Manchester Electric Co.	\$14,000	March 1, 1968
Cape & Vineyard Electric Co.	\$357,100	May 1, 1968
Nantucket Gas & Electric Co.	\$35,034	June 1, 1968
Mass. Electric Co.	\$2,097,700	July 1, 1968

Total \$3,096,983

<u>COMPANY</u>	<u>GAS (Refunds) AMOUNT</u>	<u>EFFECTIVE DATE</u>
Brockton-Taunton Gas Co.	\$69,960	September 1, 1967
Springfield Gas Co.	\$58,958	September 1, 1967
Worcester Gas Co.	\$59,307	September 1, 1967
Lowell Gas Co.	\$130,540	September 1, 1967
Central Mass. Gas Co.	\$8,159	November 1, 1967
Lawrence Gas Co.	\$27,592	November 1, 1967
Lynn Gas Co.	\$27,213	November 1, 1967
Mystic Valley Gas Co.	\$71,078	November 1, 1967
Northampton Gas Co.	\$7,001	November 1, 1967
North Shore Gas Co.	\$24,559	November 1, 1967
Wachusett Gas Co.	\$7,242	November 1, 1967
Springfield Gas Co.	\$112,894	December 1, 1967
Worcester Gas Co.	\$2,000	December 1, 1967

Total \$606,503

GAS (Price Adjustments)

<u>COMPANY</u>	<u>AMOUNT</u>	<u>EFFECTIVE DATE</u>
Haverhill Gas Co.	\$38,600	August 21, 1967
Central Gas Co.	\$11,800	August 21, 1967
Lawrence Gas Co.	\$41,100	August 21, 1967
Lynn Gas Co.	\$41,500	August 21, 1967
Mystic Valley Gas Co.	\$98,200	August 21, 1967
Northampton Gas Co.	\$10,000	August 21, 1967
North Shore Gas Co.	\$37,400	August 21, 1967
Wachusett Gas Co.	\$11,000	August 21, 1967
Springfield Gas Co.	\$86,677	September 1, 1967
Worcester Gas Co.	\$122,100	September 1, 1967
Lowell Gas Co.	\$84,200	September 1, 1967
Berkshire Gas Co.	\$33,314	October 1, 1967
Central Mass. Gas Co.	\$900	February 7, 1968
Lawrence Gas Co.	\$3,000	February 7, 1968
Lynn Gas Co.	\$3,100	February 7, 1968
Mystic Valley Gas Co.	\$7,700	February 7, 1968
Northampton Gas Co.	\$700	February 7, 1968
North Shore Gas Co.	\$2,700	February 7, 1968
Wachusett Gas Co.	\$800	February 7, 1968
Springfield Gas Co.	\$7,235	March 1, 1968
<hr/>		
Total	\$642,026	

ACCOUNTING DIVISION

Schedules of additions, betterments and retirements to plant and property of the following companies, as filed with the Accounting Division annually under the provisions of D.P.U. 4980, were checked in the field and the property inspected by the Division during the fiscal year, in the majority of cases in connection with proposed financing:

Boston Edison Company
 New England Power Company
 Massachusetts Electric Company
 Buzzards Bay Gas Company
 Lowell Gas Company
 Western Massachusetts Electric Company
 Brockton-Taunton Gas Company
 Monterey Water Company
 Blackstone Gas Company
 Dedham Water Company
 Grafton Water Company
 Oxford Water Company
 Massachusetts Waterworks Company
 Salisbury Water Supply Company
 Monterey Water Company
 Barnstable Water Company
 Edgartown Water Company
 Southbridge Water Supply Company

The following municipal lighting plant properties were inspected and schedules of proposed plant expenditures examined in connection with their requests for approval of increases in their allowances for depreciation on their respective plants and properties:

Concord	Hudson	Westfield	Hull
Reading	Mansfield	Middleton	Peabody
Holden	Braintree	North Attleboro	
Littleton	Wellesley	Paxton	
Ashburnham	Hingham	West Boylston	
Wakefield	Groveland	Middleborough	

Municipal Lighting Plants

The following is a list of the municipal lighting plants with their percentages of earnings which, from returns filed in 1968 for the year ended December 31, 1967, appear to have violated the provisions of the statute requiring such plants to reduce their rates when they have earned a profit in excess of the eight per cent allowed:

Chicopee	8.98%
Concord	9.26%
Georgetown	9.74%
Holden	9.08%
Hull	8.24%
Mansfield	8.83%
Merrimac	8.57%
North Attleboro	10.20%
Rowley	8.85%
Russell	8.08%
Sterling	8.11%
West Boylston	8.85%
Westfield	11.23%

RETURNS

The number of operating utilities, private and municipal, persons, firms and associations under the jurisdiction of and filing annual returns for the year ended December 31, 1967, with the Division is as follows:

Gas companies.....	26
Electric companies.....	13
Manufacturing companies and other companies and persons doing an electric business.....	3
Municipal lighting plants.....	40
Water companies.....	58
Voluntary associations.....	9
Affiliates of gas and electric companies.....	10
Street railway companies.....	8
Steam railroads.....	16
Sleeping car companies.....	1
Telephone companies.....	6
Telegraph companies.....	1
Express companies.....	1
Motor bus lines.....	78

Quarterly financial statements and statistical reports were filed with the Division by approximately forty-nine transportation companies, including railroad, street railway and motor bus companies.

As required under the provisions of D.P.U. 4980, all street railway, telephone, telegraph, gas, electric and water companies organized under the laws of the Commonwealth are required to file with the Division on or before June 1st of each year schedules of additions, betterments and requirements to plant and property which schedules upon receipt are checked with the annual returns and field audits and property checks are periodically made.

The Chief Accountant participated in rate conferences and provided computations and financial data relating to rate reductions and rates of return to be used as a basis for rate negotiations by the Commission.

During the year the Department on its own motion held hearings as a part of its investigation of certain questionable policies and practices in relation to property on customers' premises, with the object of determining the advisability of excluding from utility plant accounts and prohibiting the capitalization and inclusion in the rate base of appliances, equipment and certain wiring on customers' premises which is the property of the utilities and is rented, leased, loaned or furnished by the utility in its operations. The Division prepared much of the data presented for

the Department and the Chief Accountant testified as the principal Department witness in the proceedings.

The Chief Accountant also appeared before the Legislative Committee regarding proposed legislation and also appeared before the legislative committee investigating power rates.

RAILWAY AND BUS DIVISION

RAILROADS AND STREET RAILWAYS

During the fiscal year the Division of Railway and Bus Utilities made 1,529 inspections of rolling stock, including passenger and freight cars, street railway cars and trackless trolley coaches, 688 inspections of railroad and street railway bridges, 521 inspections of railroad and street railway stations, 2,080 inspections of railroad and street railway automatic and interlocking signals, 56 inspections of Remote Control C.T.C. and interlocking stations and 399 automatic train stops. In addition, switches, derails, foot blocking, bridge guards, crossings and crossing signs were inspected and defective conditions were called to the attention of the proper officials of the companies and corrections were made.

The Division investigated 201 accidents and 91 delays in service on railroads, 59 accidents and 20 delays in service on street railways. There were 130 complaints relative to railroad operations and 59 complaints on street railways investigated and adjusted. There were 86 studies and investigations pertaining to railroads and 59 on street railways. The Division held 15 public hearings pertaining to railroads and 0 on street railways, and issued 18 orders affecting railroads.

MOTOR BUS TRANSPORTATION

At the close of the fiscal year there were 195 persons, associations or corporations, including street railway corporations, operating within the Commonwealth of Massachusetts for the carriage of passengers for hire, as follows:-

Common Carrier Only	-	23
Charter Only	-	55
Common & Charter	-	74
School Bus Operations	-	<u>41</u>
Total		195

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This represents a total of 97 carriers operating under certificates of public convenience and necessity as common carriers, and 129 operating under charter licenses, also 41 carriers other than our regular carriers operating under school service permits issued by the Department.

During the course of the fiscal year the Department handled 389 applications for School and Special Service Permits; denying 6 such applications.

There were 944 Bus Permits issued (including duplicates) and 10,860 Bus Drivers' Licenses (including duplicates) for which fees aggregating \$15,057.00 were received.

The Division made 8,676 inspections of buses, 860 inspections of bridges over which buses are operated in regular route operations and 24 inspections over routes for new certificates of operation. There were 119 complaints relative to buses investigated and adjusted, and 41 accidents investigated pertaining to bus operations. There were 1,401 drivers examined for bus drivers licenses. The Division conducted 43 public hearings pertaining to bus operation and issued 37 orders relating to bus operation, 22 Certificates of Public Convenience and Necessity, 0 new Charter Licenses and 2 Temporary Licenses. There were 168 Special Studies and Investigations made regarding transportation in various parts of the Commonwealth, and the Department participated in a number of Interstate Commerce Commission Joint Board Hearings relating to bus operation.

Bus Permits Issued (including duplicates)	944
Fees Received for Permits (including duplicates)	\$6,246.00
Bus Drivers' Licenses Issued (including duplicates)	10,860
Fees Received for Bus Drivers' Licenses (including duplicates)	\$8,811.00
School and Special Service Permits Issued	389
Fees Received for School and Special Service Permits	\$1,104.00
Bus Inspections	8,676
Drivers' Examined for Licenses	1,401
Bus Accidents Investigated	41
Bus Delays in Service Investigated	20
Bus Complaints Investigated	119
Investigations of Bridges on Routes over which Buses are Operated	860
Inspection of New Bus Routes	24
Special Investigations and Studies on Buses	168

In addition, the Division made investigations relative to transportation of passengers by railroad, street railway and bus; conducted 43 public hearings relative to bus operation and issued 37 orders; 22 new Certificates of Public Convenience and Necessity, 0 Charter Licenses and 2 Temporary Licenses.

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Inspections of Rolling Stock, Including (R.D.C.'s)	
Trackless Trolley Street Railway Cars	1,529
Inspections of Railroad and Street Railway Stations	521
Inspections of Railway and Street Railway Bridges	688
Inspections of Railroad and Street Railway Automatic and Interlocking Signals	2,080
Inspections of Interlocking C.T.C. and Remote Con- trol Systems	56
Inspections of Automatic Train Stops	399
Accidents Investigated on Railroads	201
Accidents Investigated on Street Railways	59
Delays in Service Investigated on Railroads	91
Delays in Service Investigated on Street Railways	20
Complaints Investigated on Railroads re Operation	130
Complaints Investigated on Street Railways re Operation	28
Inspected Grade Crossings	1,541
Bells Inspected at Railroad Grade Crossings	293
Gates Inspected on Railroads	597
Lights Inspected at Grade Crossings on Railroads	1,006
Inspections of Railroads and Railway Bridges	689

The Division conducted its annual inspection of the main lines and branch lines of the railroads operating within the Commonwealth, which consisted of 1,635 miles of track. The inspection included the condition of the track, ties and road bed, 1,004 grade crossings, the condition and location of crossing warning signs (s. 140, c. 160; s. 142 c. 160) and of the crossing surface (s. 103, c. 160) and 689 railroad bridges.

Although no unsafe conditions were found, several instances of undesirable conditions at some locations made it imperative that immediate corrections be effected. All other noted defects were discussed on the ground with comparable, responsible railroad personnel, and definite maintenance programming established.

PUBLIC GRADE CROSSINGS IN MASSACHUSETTS

RAILROAD.	TYPE OF PROTECTION							TOTAL NUMBER OF GRADE CROSSINGS
	MANUAL		AUTOMATIC				CROSS- BUCKS, DISTANT WARNINGS AND WHISTLE, ONLY.	
	GATES	CREW STOPS & PROTECTS	BELL	FLASHERS	BELL & FLASHERS	GATES & FLASHERS		
BOSTON & MAINE CORPORATION	17	137	8	66	79	113	75	490
CENTRAL VERMONT RAILWAY, INC.	0	1	0	6	6	0	30	43
FORE RIVER R.R. CORPORATION	0	6	0	0	0	1	1	8
GRAFTON & UPTON RAILROAD CO.	0	8	0	2	0	0	20	30
NEW YORK CENTRAL RAILROAD CO.	5	71	4	3	12	8	83	186
NEW YORK, NEW HAVEN & HARTFORD RAILROAD	18	80	10	24	243	24	74	473
TOTALS	40	303	22	101	340	146	283	1230 *

* 5 CROSSINGS HAVE DOUBLE PROTECTION.

DIVISION OF RATES AND RESEARCH

During the fiscal year (July 1, 1967 to June 30, 1968) the various utilities and/or common carriers filed with the Division, Tariffs, Schedules and Contracts, in the number and to the extent indicated below:

Railroads (Freight and Passenger)		1890
Gas and Electric		182
Bus and/or Street Railways		41
Steamship (Freight and Passenger)		2
Water		3
Aircraft (Freight and Passenger)		8
(Telephone)	76	
Miscellaneous (Telegraph)	5	108
(Railway Express)	27	
Motor Truck (Examined and Accepted)		3,268
(Examined and Rejected)		753
Annual Motor Carrier of Property Reports		2,453

In addition to the filings shown above the Division received, examined and issued formal orders on 174 Petitions seeking a waiver of the statutory filing requirements or of Department rules governing the form of tariffs.

During this same period, approximately 781 informal conferences were held on rate matters with various officials or representatives of common carriers and other utilities. Also, during this time, the Division investigated numerous rate complaints, brought by either the utility, itself, or a shipper or customer of the utility or carrier. Since most of these complaints are received by telephone, and thus, cannot be considered as official, no count or record is kept. If the personnel of this Division are unable to handle such complaints because of the need of investigation, then said complaints are referred to those Divisions which have the personnel to make said investigations.

With regard to the Annual Motor Carrier of Property Reports for the year ending December 31, 1967 which are required under D.P.U. 13773 to be filed on or before April 30 of each year. During the month of January, 1968, the personnel of the Division prepared for mailing, said Annual Reports numbering approximately 3,000. The forms for these reports were mailed to the carriers during the early part of February. A survey, taken during the month of June, 1968, revealed that carriers in the number of four hundred and seventy-five (475) had not filed Annual Motor Carrier of Property Reports for the year 1967. As a result, the Division forwarded

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to these delinquent carriers, notices of "show cause" hearings for failure to comply with D.P.U. 13773. Said hearings were to be held by the Director of the Commercial Motor Vehicle Division.

During this same period, the Division continued its survey of Common Carrier Tariff filings with respect to said tariffs complying with the rules and regulations of the Department. As a result approximately 150 carriers have been checked and the tariff filings corrected so that they now meet the requirements as set by the Department.

During the year, the Division collected fees for the filing of certain documents in the amount of \$26,593.60.

During the year July 1, 1967 to June 30, 1968 the staff of the Division of Rates and Research was comprised of:

	<u>Authorized</u>	<u>Filled</u>
Senior Rate Analyst	1	1
Rate Analyst	2	1
Senior Clerks	2	2

TELEPHONE AND TELEGRAPH DIVISION

The Commonwealth of Massachusetts is served by the following five telephone companies; with over 99% by the New England Telephone and Telegraph Company:

Columbia & Rensselaer Telephone Company

Granby Telephone and Telegraph Company

Elizabeth Islands Telephone Company

New England Telephone and Telegraph Company

Richmond Telephone Company

As of June 30, 1968, there were 3,134,305 telephones in Massachusetts, representing an increase of 74,731 telephones over the previous year ending June 30, 1967 (these figures pertain only to the New England Company excluding the other four companies which combined only approximate 2,000 telephones), broken down as follows:

	June 30, 1968	June 30, 1967	Increase
Residence Main	1,590,224	1,578,241	11,983
Business Main	265,257	262,650	2,607
Total Main	1,855,481	1,840,891	14,590
Residence Extensions	622,535	590,500	32,035
PBX & Bus. "	655,194	628,183	27,011
Total Telephones	3,133,210	3,059,574	73,636

During this period there were 1,865 formal complaints made to the division for assistance relative to telephone and telegraph matters which required special research and investigation, with detailed written reports on all such complaints. Many informal inquiries were also made to the Director and personnel of the division.

There were nine formal hearings held before the Department relative to telephone matters.

There were 45 telephone exchanges in which the extra mileage charges made to subscribers was completely eliminated, with these charges eliminated, there are now no exchanges in the Commonwealth with any additional mileage charges.

Palmer	Sandisfield	Sheffield	Charlemont	Spencer
Barre	Huntington	Granville	Leominster	Gardner
Stockbridge	Easthampton	Middleboro	Colrain	Conway
Winchendon	Belchertown	Blandford	Chilmark	Orleans
Rochester	Gt. Barrington	Westport	Amherst	Athol
Montague	Williamsburg	Sagamore	Falmouth	Vineyard Haven
Osterville	Adams	Otis	Wellfleet	Wareham
Becket	Clinton	Orange	Brimfield	New Bedford
Rutland	Turners Falls	Ware	Sturbridge	Oxford

There were 32 telephone exchanges in which the 8-party residence service was eliminated.

Middleboro	Colrain	Conway	Winchendon	Blandford
Chilmark	Orleans	Rochester	Westport	Gt. Barrington
Amherst	Athol	Montague	Williamsburg	Vineyard Haven
Sagamore	Falmouth	Osterville	Otis	Wellfleet
Wareham	Orange	New Bedford	Brimfield	Ware
Turners Falls	Sturbridge	Charlemont	Spencer	Barre
Granville	Huntington			

There were 21 telephone exchanges in which the 4-party residence service was eliminated.

Bryantville	Carver	Holyoke	Leicester	Milford
Amesbury	Attleboro	Chicopee	Gardner	Grafton
Greenfield	Leominster	Marion	Winchendon	Becket
Sandisfield	Sheffield	Shirley	Seekonk	Mattapoisett
Provincetown				

Boundary changes were made in the following telephone exchanges:

Holyoke & Northampton; Otis & Sandisfield; Duxbury & Kingston; Becket & Pittsfield; Amherst & Northampton; Falmouth & Osterville; Osterville & Falmouth; Osterville & Hyannis; Osterville & Cautamet; Osterville & Sagamore; Wareham & Rochester; Wareham & Buzzards Bay; Barnstable & Dennis; Oxford & Webster; Oakham & North Brookfield; Lincoln & Waltham; Franklin, Medway & Milford; Foxboro & Mansfield; Foxboro & Wrentham; Wareham & Middleboro; Holliston & Natick; Easton & Sharon; Foxboro & Walpole; East Bridgewater & Whitman.

The establishment of extended local service was made between the following exchanges:

Ashburnham - Gardner; Gardner - Ashburnham; Ashburnham - Westminster; Westminster - Ashburnham; Groton - Shirley; Shirley - Groton; Princeton - Sterling; Hanover - Kingston; Marshfield - Whitman; Whitman - Hanover; Orange - Millers Falls; Millers Falls - Orange; Athol - Templeton; Templeton - Athol; Lunenburg - Townsend; Townsend - Lunenburg; Sterling - Princeton; Kingston - Hanover; Marshfield - Hanover; Hingham - Norwell; Amesbury - Merrimac, Newburyport, West Newbury; Merrimac - Amesbury, West Newbury; Newburyport - Amesbury, Georgetown; West Newbury - Amesbury, Merrimac; Georgetown - Newburyport, Rowley; Rowley - Georgetown; Rochester - Wareham; Bernardston - Northfield; Northfield - Bernardston; South Guilford; Oakham - Auburn, Barre, Boylston, Grafton, Holden, Leicester, Millbury, North Brookfield, Rutland, Shrewsbury, Spencer, West Boylston & Worcester; Franklin - Medfield; Bellingham - Blackstone locality; Franklin, Medway, Milford; Blackstone locality - Bellingham; Milford - Bellingham; Brimfield-Sturbridge, Warren; Sturbridge - North Brookfield; Harwich - Orleans; Easton - Mansfield; Norton, Taunton.

During this period there were several tariff changes, some of the more important changes affecting telephone service were:

The extension of the experimental offering for "Custom Calling Service" in the Wellesley exchange until July 1, 1969.

A reduction in the monthly rates for "Circle Calling Service" and an extension of this experimental offering until December 31, 1969.

The elimination of the Mount Washington Exchange and its associated tariff M.D.P.U. No. 9, and transferring the entire exchange to the Great Barrington exchange.

The introduction of a non optional offering "Metropolitan Rate Service", for Boston Mobile Service customers, and dial "unlimited rate service" on a non optional basis, in the Worcester Mobile Telephone Service Area.

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The offering of "Unlimited Metropolitan Service" in the following exchanges: Norwell, Rockland, Sudbury, Lynn, Marblehead, Medfield, and Brockton.

An extension of the experimental offering of "Touch Tone Residence Service Package", in the Dedham exchange until December 3, 1968.

The establishment of the new telephone exchange of "Bellingham".

The introduction of "Circle Calling" in the Lee exchange, also an extension of the experimental offering until December 31, 1969.

The withdrawal of "Unlimited Bay State Service" from all trial exchanges, and the introduction of a new experimental "Bay State Service", in all of the original trial exchanges.

As a result of the aforementioned changes, the New England Telephone & Telegraph Company has had a decrease in revenue of \$473,226.00 which would be reflected in savings to telephone subscribers, plus giving a better telephone service.

Also during this period there was a strike of telephone installers, repair personnel, & others which commenced on April 26, 1968 and was still in effect on the closing of this years report of June 30, 1968. This strike had a great effect on installations and changes of service.

DIVISION OF INVESTIGATION OF SECURITIES

The Division of Investigation of Securities, located at 100 Cambridge Street, is a Division under the supervision of the Commission supervising and controlling the Department of Public Utilities.

The purpose of the Division is to enforce Chapter 110A of the General Laws, as amended, known as the Sale of Securities Act. This Chapter was enacted August 26, 1921, for the purpose of controlling the sale of securities, to register persons selling the same, and to prevent the fraudulent promotion and sale of fraudulent securities.

All brokers and salesmen engaged in the business of selling securities in this Commonwealth must be registered annually with this Division. During the fiscal year ended June 30, 1968, 828 brokers and 6,815 salesmen were registered, also 404 transfer registrations were issued for salesmen transferring from the employ of one broker to another broker.

The fee for original and renewal registration is \$100 in the case of a broker and \$10 in the case of a salesman; also, a fee of \$10 is required for recording the transfer of a registered salesman from the employ of one broker to another broker. The fee for the filing of a Notice of Intention to offer for sale is \$25 and the fee for the filing of a petition requiring the approval of the Commission is \$10. Based on these fees, the income for the Division for the fiscal year amounted to \$178,100.

Applicants for registration as brokers or salesmen, pursuant to Section 10 of the Chapter, were required to file information statements signed under oath showing their past occupations, criminal records, if any, letters of reference, etc. All applicants for registration as brokers were given an oral examination and a personal interview in order to demonstrate their qualifications for engaging in the securities business. All applicants for registration as securities salesmen were required to take a written examination to test their knowledge of the Massachusetts Sale of Securities Act. This examination is administered every Tuesday at the N.A.S.D. Testing Center, Northeastern University, Boston, Massachusetts, and, upon request, at other N.A.S.D. Testing Centers throughout the country. All applicants are investigated through the Board of Probation to determine whether or not they have any criminal record.

Brokers conducting a general security business were required to file annual statements showing their financial condition. These statements are kept in a separate file and in accordance with Section 12 of the Chapter are not open to public inspection.

Section 11E of our Sale of Securities Act reads in part as follows: "No foreign or domestic corporation shall sell, or offer for sale, any of its securities to any of its employees other than those who are officers thereof, unless such corporation has received general authority in writing from the Commission to make such sale". Pursuant to the provisions of this Section, 26 petitions were submitted to this Division, all of which met the requirements of the statute and were approved by the Commission.

Section 11 of our Sale of Securities Act reads in part as follows: "No person shall sell any security, including periodic payment plan certificates, which is to be paid for upon an installment or partial payment plan, unless such plan has first been approved by the Commission". Pursuant to the provisions of this Section, 14 petitions were submitted to this Division, all of which met the requirements of the statute and were approved by the Commission.

As required by Section 5 of the Act, a Notice of Intention to offer for sale, together with certain other relevant information, must first be filed before a security may be offered for sale in this Commonwealth. However, certain exemptions to this filing have been provided for in Sections 3 and 4 of the Act. During the fiscal year 815 Notices of Intention were filed representing 948 different security issues.

The Division required reports to be filed annually by 540 corporations, companies, associations and trusts having their securities qualified for sale in this Commonwealth. Of these reports, 232 were filed on the calendar year and 308 on a fiscal year basis. These reports are examined by the accounting personnel of this Division and are retained on file for the use of the public and in some instances are the only reports available.

467 investment companies, or so-called investment trusts, having their securities qualified for sale in this Commonwealth, were required to file annual reports with this Division. These reports are also examined and analyzed by our accounting personnel and are open to the public for their inspection.

Complaints from the general public relative to the activities of registered brokers and salesmen and alleged violations of the provisions of the Sale of Securities Act have been investigated and either disposed to the satisfaction of all parties concerned, referred to the Attorney General for further action, or are in the process of being investigated by this Division.

An order was promulgated by the Commission on February 27, 1968, exempting from the provisions of the Massachusetts Sale of securities Act securities listed on the Pacific Coast Stock Exchange, additional amounts of any such securities when regularly approved for listing upon notice of issuance thereof and all securities senior thereto. This exemption is in keeping with the policy of other States that exempt securities listed on major Stock Exchanges.

During the fiscal year the insurance industry entered into the securities field for the purpose of selling mutual funds. This change in the industry has created a tremendous increase in the number of brokers and salesmen's registrations and it is anticipated that this is just the beginning of a new era in the mutual fund area. In order to help cope with the increased work load the Division was authorized a new position of Senior Clerk and Typist.

Chapter 527 of the Acts of 1967, further regulating the sale of certain securities, was enacted November 6, 1967. This amendment reads as follows: "Upon the filing of a Notice of Intention, such security and all securities of the identical class and type outstanding at the date of such filing or sold or distributed by the issuer after the date of such filing in a transaction exempted by Section 3 may be sold by any broker or salesman registered hereunder".

The purpose of this Legislation was to clarify a so-called gray area in the Sale of Securities Act.

COMMERCIAL MOTOR VEHICLE DIVISION

At the close of the fiscal year the division exercised supervision over 527 regular route common carriers, 7149 irregular route common carriers, 7660 interstate carriers, 640 contract carriers and 92 agricultural carriers actively engaged in the transportation of property for hire within the Commonwealth. There were also 10 holders of transportation brokers' licenses. The division issued 105,742 distinguishing plates to registered carriers and received in fees from all sources a total of \$332,701.96.

During the period covered by this report a total of 1128 public hearings were conducted by the Commercial Motor Vehicle Division of which 690 represented hearings held on new applications or amendments to existing certificates and permits. Four hundred and thirty-eight (438) hearings were held on requests for approval of stock acquisitions and transfers of existing operating authorities.

A total of 632 complaint hearings were conducted during this period and included 184 hearings on carriers delinquent in filing annual financial reports, (D.P.U. 13773), and 338 hearings for failure to render service as a common or contract carrier within the period of time specified by statute. Investigators of the division conducted 2727 road and cargo checks in all sections of the Commonwealth. Employees of this division served on or presided at eleven Joint Board Hearings before the Interstate Commerce Commission.

A total of 356 irregular route common carrier certificates 25 contract carrier permits, 408 interstate licenses and 1 broker's license were issued from July 1, 1967 to June 30, 1968. The division processed 21 formal court cases and submitted written reports on 170 formal investigations.

After individual public hearings during this same period the division revoked the irregular route common carrier certificates of 276 carriers. This action followed evidence that such carriers had either failed to render service for a period in excess of ninety (90) consecutive days or had failed to file annual financial reports as required by department order. In nearly all cases the carrier failed to appear at the scheduled hearing and neglected after notice to supply the department with any valid reason for non-appearance.

Reciprocal arrangements with 24 other states and the District of Columbia were continued in effect. The reciprocity agreement with New Hampshire was cancelled on January 24, 1968 due to a change in their motor carrier act. (D.P.U. 6034)

The personnel of the division worked in conjunction with the Attorney General's Office on various aspects of enforcement involving dump truck operations for hire. Activities were specifically directed to certain cases being tried in the higher courts of the Commonwealth and to further contemplated criminal action against carriers engaged in unauthorized for-hire operations involving both local and out of state carriers. Two important cases having far reaching local effects were processed and brought to a successful conclusion during this period. One in the Supreme Judicial Court of the Commonwealth, Docket No. S-7059, was concerned with the activities, practices and tariff requirements of the Movers of Household Goods and Office Equipment. The second case in Superior Court, Docket No. 87126 EQ, was directed to the elimination of so-called "buy and sell" methods being utilized by some common carriers to evade regulation and the requirements of certain department minimum rate orders. In both cases the division personnel conducted studies, made reports and assisted in the preparation of the cases.

On March 3, 1968 the handling cost per plate was increased from 15¢ to 30¢ to offset to some extent the increase in postage rates, thereby increasing the income from this source by \$423.41 over the corresponding period in 1967. Effective as of this same date, interstate carriers applying for an interstate license are required to submit to the department with their application a written designation of process agent.

Studies were begun and are continuing in an effort to review the designated enforcement zones or districts to which our investigators are assigned in order to have these zones relate more closely to the larger and more populous commercial and industrial areas changes which have resulted from activities of both Federal and State Redevelopment Agencies.

ENGINEERING DIVISION

Rules and regulations relating to the Engineering Division:

D.P.U. 1073-C: requires the filing of reports to the Department where there is a fatality or substantial property damage caused by gas or electricity.

D.P.U. 4980: requires the filing of schedules of additions, betterments and retirements to plant and general equipment accounts by the various utility companies.

D.P.U. 12769: regulates the building of ways over the pipelines of natural gas transmission companies.

D.P.U. 11725-C and D.P.U. 11725-D: regulates natural gas distribution companies.

D.P.U. 9734-B: regulates natural gas transmission companies.

Chapter 370, Acts of 1963: requires contractors and others to notify the utility companies before digging in the streets. Utility companies are required to file monthly reports to the Division concerning breaks in their facilities in the streets.

Monthly Reports required by the Engineering Division:

Odorization reports.

Number of fire valves installed by each gas utility company or municipal gas department.

Number of gas meters tested each month by each gas utility company or municipal gas department.

Number of breaks in gas company facilities in the streets caused by contractors or others excavating in the public ways.

During the fiscal year, the Engineering Division examined the schedules of additions, betterments and retirements to plant and general equipment accounts of the following companies in accordance with D.P.U. 4980.

Barnstable Water Company
Blackstone Gas Company
Boston Edison Company
Brockton Taunton Gas Company

Buzzard Bay Gas Company
Cambridge Gas Company
Canal Electric Company
Dedham Water Company

Edgartown Water Company
Grafton Water Company
Lowell Gas Company
Lynn Gas Company

Massachusetts Electric Company
Massachusetts Water Works Company
Monterey Water Company
Mystic Valley Gas Company

New England Power Company
Salisbury Water Company
Southbridge Water Company

The following municipal light plants were inspected and reports written relating to their petitions for increases in the rates of depreciation.

Groveland
Hingham
Hudson
Hull

Mansfield
Middleboro
Middleton
North Attleboro

Paxton
Peabody
Wakefield
Wellesley

West Boylston
Westfield

D.P.U. 11725-C requires Department approval of gas main installations over, under or in bridges by all Massachusetts gas companies. The following such installations were approved by the Department following examination of the installation plan for compliance with the Department's regulations:

Boston Gas Company	12" gas main in Waltham
Brockton Taunton Gas Co.	8" gas main at Dighton-Taunton boundary
Haverhill Gas Company	8" gas main in Amesbury
Fitchburg Gas and Electric Light Company	6" main in Lunenburg
New England Electric system gas companies	2" main in Gloucester
Mystic Valley Gas Company	6" main in Woburn
Northampton Gas Light Company	8" gas main in Northampton
Boston Gas Company	4" gas main in Concord
Lawrence Gas Company	8" gas main in Methuen
Berkshire Gas Company	4" gas main in North Adams
Boston Gas Company	8" gas main in Weymouth
North Shore Gas Company	4" gas main in Gloucester
Boston Gas Company	8" gas main in Weymouth
Brockton Taunton Gas Co.	4" main in Bellingham
Fitchburg Gas and Electric Light Company	6" gas main in Lunenburg
New England Electric system gas companies	2" gas main in Gloucester
Mystic Valley Gas Company	6" gas main in Woburn
Springfield Gas Light Co.	8" gas main in Springfield
Worcester Gas Company	4" gas main in Auburn
Springfield Gas Light Co.	6" main in West Springfield
Springfield Gas Light Co.	12" gas main in Springfield
Brockton Taunton Gas Co.	6" gas main in Marshfield
New England Electric system gas companies	8" gas main in Andover
Lowell Gas Company	8" gas main in Lowell
Boston Gas Company	4" gas main at Bedford-Carlisle line
Boston Gas Company	8" gas main at Weymouth-Hingham line
Lowell Gas Company	6" main in Tyngsboro
Worcester Gas Company	8" main in Stow

A copy of the approval letter is forwarded to the Department of Public Works in each case of a bridge under their jurisdiction.

ATOMIC ENERGY

Made periodic checks of plant and progress of construction of atomic electric generating plants in Maine, Vermont and two in Connecticut.

It should be noted that the utility companies in Massachusetts have a financial interest in each of the foregoing plants. Therefore, this Division in conjunction with the Accounting Division, must make the same examination of plant for financing purposes as is required by D.P.U. 4980 for all Massachusetts utilities.

PIPELINE CERTIFICATIONS

In accordance with the requirements of D.P.U. 11725-C the Department requires that steel gas mains to be operated at a pressure of 150 psig to 200 psig shall be air tested or hydrostatically tested for tightness. X-rays of welded joints are inspected and methods of construction examined. The following pipelines were certified during the past fiscal year:

18,930 feet of 8" steel gas main installed by Lowell Gas Company from the Littleton-Westford line to Tadmuck Road in Westford.

4,639 feet of 8" steel gas main installed by Boston Gas Company in Weymouth.

15,274 feet of 8" steel gas main installed by Boston Gas Company in Littleton.

5850 feet of 8" steel gas main in Lincoln installed by Boston Gas Company.

92 feet of 6" steel gas main and associated fittings and regulators in Concord installed by Boston Gas Company.

51 feet of 6" steel gas main, associated fittings and regulators in Wayland installed by Boston Gas Company.

WATER

Investigated water wupply problems of Bondsville Water Company and took sample of 2" pipe used in their distribution system. Made water pressure survey.

Held conference with Chairmen of the Board of Selectmen of Stockbridge and management of Stockbridge Water Company re: rental rates charged by the company

At Stockbridge held conference with Hill Water Company president re: chlorination of water supply.

At Cheshire Water Company, held conference re: water service to trailer park. Also inspected proposed pipeline extension to serve new development, installed water pressure recording instruments and conferred re: improvements in system. Also conferred re: surveys by engineering consultants re: proposed improvements in distribution system.

At Stockbridge, conference with Department of Public Health re: chlorination of water supply and increasing number of water samples for test periods. Conference with management re: customer complaints of general inadequacy of supply.

At Monterey, inspection of locations of proposed improvements in distribution system. Conference with management re: customer complaint pertaining to shutting off of water for reasons other than delinquent bills.

At Adams, conference with town counsel re: proposed acquisition of water company by the town.

At Northfield, conference with management of Northfield Water Company re: expenditures for proposed improvements in water system.

Study, analysis and report re: service problems and adequacy of supply of Agua Water Company. Attended meeting with Board of Selectmen re: Agua Water Company service.

At Housatonic Water Company, conference re: cetain problems relating to water distribution.

At Lee, conference re: issuance of building permits for new construction requiring extension of water service.

Conferences with various groups wishing to start water companies.

At Norfolk, obtained physical plant data relating to Kingsbury Water Company.

ELECTRICAL OUTAGES

The following outages were reported to the Department during the past fiscal year:

Boston Edison Company, 307*
Suburban Electric Company, 1
Western Massachusetts Electric Company, 34
Cambridge Electric Company, 19
Massachusetts Electric Company, 114
Manchester Electric Company, 2
Cape and Vineyard Electric Company, 10
New Bedford Gas and Edison Light Company, 19
Brockton Edison Company, 10
Fall River Electric Company, 9
Fitchburg Gas and Electric Light Company, 4

Ashburnham Municipal Light Department, 2
Braintree Municipal Light Department, 3
Chicopee Gas and Electric Department, 1
Holyoke Gas and Electric Department, 2
Marblehead Municipal Light Department, 1
Hingham Municipal Light Department, 3
Middleboro Gas and Electric Department, 4
Wellesley Municipal Light Department, 1
Concord Municipal Light Department, 1
North Attleboro Gas and Electric Department, 1
South Hadley Municipal Light Department, 1
Taunton Municipal Light Department, 1
West Boylston Municipal Light Department, 2

*a number of these outages were taken from the Company's log sheets which record all outages regardless of duration. Some are not considered reportable outages under our new procedure.

Effective April 1, 1968 the Engineering Division requested electric companies and municipal departments to report their electrical outages on a new and uniform basis. Such outages are designated "reportable outages" and are defined as outages of over 200 customer-outage hours or as outages which produce a substantial adverse effect or hardship on the public.

A summary sheet is attached showing the results of such reporting procedure for April, May and June of 1968.

Effective April 1, 1968, the Engineering Division requested electric companies and municipal departments to report their electrical outages on a new and uniform basis. Such outages are designated "reportable outages" and are defined as outages of over 200 customer-outage hours or as outages which produce a substantial adverse effect or hardship on the public.

Summary for April, May and June given below. Data for each company are given in attached sheets.

		<u>April</u>	<u>May</u>	<u>June</u>
1	Number of electric companies and municipal electric departments operating in Mass.	60	60	60
2	Number of customers served (12/31/67)	1,935,073	same	same
3	Number of companies and municipals reporting "reportable outages"	13	15	14
4	Number of "reportable outages"	74	73	95
5	Number of customers affected	94,546	104,341	113,241
6	Number of "customer outage hours"	88,140	84,593	122,793

Cause of outages

1.	Underground cable faults	19	7	20
2.	Car hit pole	14	14	9
3.	Equipment failure	11	13	8
4.	Tree limbs hit wires	7	10	23
5.	Wires hit together	6	1	0
6.	Miscellaneous	15	20	19
7.	Scheduled	2	8	3
8.	Lightning	0	0	13
		<u>74</u>	<u>73</u>	<u>95</u>

Chapter 370, Acts of 1963

This legislation requires contractors and others excavating in the public ways to notify utility companies before proceeding.

A continuous study is made of gas pipeline breaks in the streets caused by contractors and others excavating. At intervals contractors who have damaged company facilities are called before the Department together with gas company personnel for conferences on ways to avoid such incidents.

Gas Meter Inspection

During the past fiscal year, 174,517 gas meters were tested and inspected as required by statute. Those meters found to be registering correctly were sealed and badged as required.

Two hundred sixty-three complaint meters were tested; one hundred ninety-three meters were found to be registering correctly; sixty-nine were found to be registering incorrectly; i.e., inaccurate by more than two per cent.

Gas Inspection

Under the provisions of section 109, Chapter 164, "the gas of every company which supplies more than fifty customers shall be inspected at least twice a year and as much oftener as the department may determine. The Department may from time to time establish a new standard for purity for gas, and after a public hearing determine how many grains of sulphur and ammonia per hundred cubic feet of gas may be permitted, but not more than thirty grains of sulphur per hundred cubic feet and no sulphuretted hydrogen shall be allowed."

During the period from July 1, 1967 through June 30, 1968, this Division made 170 gas inspections relative to heat content and odorant. These inspections showed no violations of the legal standards.

Complaints

A total of 1655 complaints relating to charges, rates, quality of service, shut offs and extensions of the various gas, electric and water companies was received and investigated. These may be broken down as follows:

Gas

Billing, 281; shut off, 340; supply, 54; miscellaneous, 48; service, 69; extensions, 15.

Electric

Billing, 446; shut off, 201; supply, 54; miscellaneous, 65; quality, 27; service, 20; extensions, 25.

Water

Service, 1; billing, 1; miscellaneous, 5; shut off, 1; supply 2.

The Division received and accounted for \$85,110.00 in fees for the testing of meters.

Accidents

A total of 53 accidents was reported to the Department relating to electricity. Eleven of these were fatal.

A total of one hundred sixty-six accidents relating to gas was reported to the Department. Three of these were fatal.

GAS REGULATORY BOARD

At Northampton, inspected installation at Northampton Housing for the Elderly of certain gas fired equipment for compliance with safety rules of Gas Regulatory Board.

Held conference at Southeastern Massachusetts Technological Institute re: Board approval of certain gas fired equipment for use in school. Conference with architects, engineers and plumbers re: technical problems relating thereto.

Inspected operation of gas fired industrial equipment at Arlington Chemical plant for compliance with Board's rules and held conference re: ways to insure safe operation of equipment.

At Norwood inspected gas installations in housing development and held meeting with Norwood Gas Company and Norwood Gas Inspector re: certain technical problems.

Held meetings with gas inspectors from various areas throughout state re: various problems concerned with the application of the State Gas Code.

At Natick inspected gas fired industrial equipment for safe operation and for compliance with Board's rules.

Held meeting with manufacturers' representatives re: safe testing procedures for gas ranges and advice as to same to gas inspectors.

Held meeting with Lynn Gas Company and Lynn Gas Inspector re: application of the Board's rules and regulations.

Investigated propane explosion in school and held conference with gas inspector and gas installer re: same. Examined equipment involved. Recommended installation of master control valve in all such laboratories as requirement by Board.

Held conference with Palmer gas inspector re: interpretation of state gas code.

Investigated propane explosion in trailer and held conference with gas inspector re: compliance with Board's rules.

Inspected installation of gas fired industrial equipment in manufacturing plant in Holyoke at request of local gas inspector and recommended ways to insure safe operation.

At Marshfield, examined gas fired industrial equipment and discussed problems relating to said equipment with local gas inspector.

At Pembroke inspected gas fired industrial equipment at regional school for compliance with Board rules.

Investigation and conferences re: acceptable standards for emergency gas generators for use in institutions, etc.

Respectfully submitted,

s/ Helen P. Ross
Helen P. Ross, Chairman

s/ David M. Brackman
David M. Brackman

s/ Joseph F. Cleary
Joseph F. Cleary

s/ Roy C. Papalia
Roy C. Papalia

s/ Norman Mason
Norman Mason

s/ Robert M. Santaniello
Robert M. Santaniello

s/ Edward G. Seferian
Edward G. Seferian Commissioners

